

**To:** Burdick, Melanie[Burdick.Melanie@epa.gov]  
**From:** Werner, Sam E LRL  
**Sent:** Tue 4/15/2014 1:43:12 PM  
**Subject:** RE: Question: Triad Freelandville Restoration (UNCLASSIFIED)

Classification: UNCLASSIFIED  
Caveats: NONE

Melanie,  
No, they did not give confirmation that the off-site mitigation was completed. As a matter of fact, there are a few off-site mitigation areas. Some are wetland areas near the Freelandville Mine site and another was stream mitigation that is occurring in Pike County Indiana near some other Log Creek Mine mitigation. I know for a fact that the mitigation at the Log Creek site is not completed because I was just there last week. The channel is mostly constructed but water is still being diverted around it and is not running through the channel. Some of the riparian zone trees are being planted and there were a couple of hundred container trees staged nearby still in their containers. Let me know if you need anything else.  
Thanks,  
Sam Werner  
U.S. Army Corps of Engineers  
P.O. Box 489  
Newburgh, Indiana 47629  
Phone (812) 842-2768  
Fax (812) 848-2678

-----Original Message-----  
From: Burdick, Melanie [mailto:Burdick.Melanie@epa.gov]  
Sent: Tuesday, April 15, 2014 8:29 AM  
To: Werner, Sam E LRL  
Subject: [EXTERNAL] Question: Triad Freelandville Restoration

Sam,

Did Triad provide the confirmation that off-site mitigation has been completed? It was supposed to be done at the end of the 2013 growing season, per the permit.

Thanks,

Melanie

From: Burdick, Melanie  
Sent: Wednesday, April 09, 2014 8:59 AM  
To: Sam Werner  
Subject: Triad Freelandville Restoration

Hi Sam,

We just found out that James River Coal/Triad is considering bankruptcy, and the Department of Justice

wants to know what the status of their restoration is.

Triad doesn't need to provide EPA or DOJ anything until after they have completed their restoration activities in concurrence with your permit. Since they haven't provided us with anything, I assume that they haven't completed the mitigation.

Do you know where they are in their permitting/mitigation schedule?

Thank you,

Melanie (Haveman) Burdick

USEPA R5

312-886-2255

[burdick.melanie@epa.gov](mailto:burdick.melanie@epa.gov)

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Caveats: NONE